

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

TRUSTEES OF THE N.E.C.A - IBEW LOCAL )  
176 HEALTH, WELFARE, PENSION, VACATION, )  
AND TRAINING TRUST FUNDS, )

Plaintiff. )

v. )

KEVIN ELECTRIC COMPANY, INC., )  
an Illinois Corporation and )  
PAUL CALIBAN, Individually, )

Defendants. )

Case No. 07 CV 7259

Judge Der-Yeghiayan  
Magistrate Judge Brown

**AGREED ORDER OF DISMISSAL WITH PREJUDICE**

This cause coming before the Court pursuant to the parties' agreement to dismiss this action with prejudice, the Court finds that this cause of action has been fully compromised and settled, the parties have stipulated and agreed to the dismissal of the Complaint with prejudice, and the Court being fully advised in the premises;

IT IS THEREFORE ORDERED that the Plaintiff's Complaint against Defendant(s) for any and all claims arising out of any obligation to pay fringe benefit contributions through December 31, 2007, shall be and the same is hereby dismissed with prejudice. Each party shall bear their own attorneys fees and costs.

BY: Samuel Der-Yeghiayan  
SAMUEL DER-YEGHIAYAN  
UNITED STATES DISTRICT COURT JUDGE

DATED: **05/07/08**

AGREED TO:

TRUSTEES OF THE N.E.C.A.-IBEW  
LOCAL 176 HEALTH, WELFARE,  
PENSION, VACATION AND TRAINING  
TRUST FUNDS, Plaintiff

KEVIN ELECTRIC COMPANY, INC.  
an Illinois Corporation,  
Defendant

By: s/ John F. Etzkorn  
One of Their Attorneys

By: s/ Joseph P. Berglund  
One of Its Attorneys

Dated: May 2, 2008

Dated: April 1, 2008